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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO.         | CONFIRMATION NO. |
|-----------------|-------------|--|-----------------------------|------------------|
| 10/521,619      | 02/26/2007  | Dale R. Du Bois  | A-71748/MSS<br>(463035-770) | 2146             |
| 7590            | 07/30/2008  | DORSEY & WHITNEY LLP<br>555 CALIFORNIA STREET, SUITE 1000<br>SUITE 1000<br>SAN FRANCISCO, CA 94104 | EXAMINER                    |                  |
|                 |             |  | ART UNIT                    | PAPER NUMBER     |
|                 |             |  | 3742                        |                  |
|                 |             |  | MAIL DATE                   | DELIVERY MODE    |
|                 |             |  | 07/30/2008                  | PAPER            |

## DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)

*The declaration of express abandonment will not be recognized*

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

- The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
- The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
- The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
- The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch  
Office of Data Management

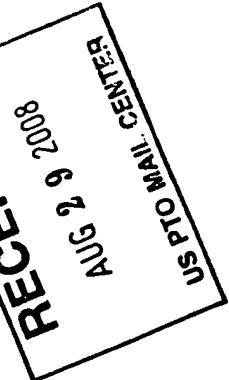


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| MED INVENTOR | ATTORNEY DOCKET NO.         | CONFIRMATION NO. |
|--------------|-----------------------------|------------------|
| R. Du Bois   | A-71748/MSS<br>(463035-770) | 2146             |
|              |                             | EXAMINER         |
| ART UNIT     | PAPER NUMBER                |                  |
| 3742         |                             |                  |
| MAIL DATE    | DELIVERY MODE               |                  |
| 07/30/2008   | PAPER                       |                  |

## ITION UNDER 37 CFR 1.138(d) *Abandonment will not be recognized*

1.138(d), requesting for a refund of any previously paid fees in the above-identified application.

for the reason(s) indicated below:

to permit the appropriate officials to recognize the reason(s) indicated below for which a refund of fees has been made of the application. See 37 CFR 1.138(d).

authorized by 37 CFR 1.33(b)(1), (3) or (4).

under 35 U.S.C. 111(a) on or after December 8, 2004.

under 1.138(d) is dismissed because the applicant did not timely file a request for a refund of fees in the above-identified application.

Call the Office of Data Management at (571) 272-4200.



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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 29/249,217   | 09/27/2006  | Jacob C. Smith       | 52802.0079          | 7797             |
| 57600  | 7590        | 08/27/2008           | EXAMINER            |                  |
| HOLLAND & HART LLP<br>60 E. South Temple, Suite 2000<br>P.O. Box 11583<br>Salt Lake City, UT 84110 |             |                      | LEVY, MELANIES      |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2911                |                  |
|  |             |                      | MAIL DATE           |                  |
|  |             |                      | DELIVERY MODE       |                  |
|  |             |                      | 08/27/2008          | PAPER            |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|   |                               |                              |
|---|-------------------------------|------------------------------|
| <b>SUPPLEMENTAL<br/>Notice of Allowability<br/>For<br/>A Design Application</b> | Application No.<br>29/249,217 | Applicant(s)<br>SMITH ET AL. |
|   | Examiner<br>MELANIE LEVY      | Art Unit<br>2911             |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to IDS of 8/13/08.
2.  The claim is allowed.
3.  Acceptable drawings:
  - (a)  The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
  - (b)  Drawing Figures filed on \_\_\_\_\_ and drawing Figures filed on \_\_\_\_\_ are accepted by the Examiner.
4.  The claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f) is acknowledged.
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 8/7/08 - time period runs from this date.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

| Attachment(s)   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Receipt Date 8/13/08 | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
| 5. <input type="checkbox"/> Notice of Informal Patent Application   | 9. <input type="checkbox"/> Other _____.  |
| <b>NOTE:</b>  |   |
|   | /Cathron C Brooks/<br>Supervisory Patent Examiner, Art Unit 2911                      |

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|  |      |                          |                   |
|--|------|--------------------------|-------------------|
| Substitute for form 1449/PTO   |      | <b>Complete if Known</b> |                   |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |      | Application Number       | 29/249,217        |
|  |      | Filing Date              | 27 September 2006 |
|  |      | First Named Inventor     | Jacob C. Smith    |
|  |      | Art Unit                 | 2913              |
|  |      | Examiner Name            | Melanie Levy      |
| Sheet 1  | of 1 | Attorney Docket Number   | 52802.0079        |

| <b>NON PATENT LITERATURE DOCUMENTS</b> |                       |   |                |
|--|-----------------------|---|----------------|
| Examiner Initials*                     | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
| /M.L./                                 |                       | Beman Products Catalog, 1999  |                |
| /M.L./                                 |                       | Easton Bowhunting and Target Archery Guide, 2004, pages 4-9, 11-13  |                |
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|--------------------|----------------|-----------------|------------|
| Examiner Signature | /Melanie Levy/ | Date Considered | 08/20/2008 |
|--------------------|----------------|-----------------|------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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